

M^r Cornelius White Attorneys of the Provinciall Court being Sent for came & Attended his Ex^{ncy} in Councill Who was Pleased to Acquaint them that the R^t honble the Lords of the Councill of Trade & fforeign Plantations had Signified her Majestys Pleasure to him, in that she thought the Present Constitution of the Judicature of this Province Especially in the Provinciall Court not well regulated and therefore Directed the number of the Provinciall Justices to be reduced to four Who should be also Justices of Assizes Itenerant & goe the Circuites to Inquire & take the Verdicts of Jurours in the Severall Countys of this Province Yearly. And therefore his Excellency told the Gentlemen Present he had sent for them to Advise & Modell Some Scheme to be presented to the next Session of Assembly for their Advice and Approbation thereon. To the End this great and Gracious Condescention of her Majesty might be thankfully embraced and readily Effected.

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And thereupon the Gentleⁿ present having Consulted argued & Debated theron Doe propose

1st Resolved. That the number of Justices of the Provinciall Court be reduced to four such Gentⁿ as his Ex^{ncy} shall think fitt to appoint of the most Proper & Discreetest Persons Freehold^{rs} within this Province, and that they be thereto Comissionated under the Great Seal of this her Ma^{ty}s Province. And to hold four Courts or Termes at Annapolis Annually. p. 17

2^{dly} That these four Judges have likewise comissions of Assize and Goale delivery and goe the Western and Easterne Circuits twice in Every Year to take the Verdicts of Juro^{rs} and Deliver the Severall County Goales

3^{dly} That all Process Issue out of & Returnable to and all Pleadings be filed and Issues made up in the Provinciall Court Tryable there the next Terme nisi Justiciary &c. prins Verdict upw'd &c

And in case one other Terme should Intervene before the Assizes after such Issue is made up that there be an Entry made of Course (to Continue the Cause) of a Venire fac. Jur &c to the next Terme but that Ven nihil fecit nec Misit Bre p^rdict Idee at Ven &c award to the next Subsequent Terme nisi prius &c and this in all Causes tho not to be made out or Executed); but that the Juro^{rs} Come to the Barr as now practiced in the Provinciall Court.

4^{thly} That the Record of all such Issues not Tryable at Barr but at the Assizes be made up compleated and Sealed under the Seale of the Provinciall Court, ready to be broke open upon calling the Cause at the Assizes as Sett downe in its due Course And that there be a Clark of the Assizes appointed to go with the Justices in the Circuites of the Western & Eastern Shores to Endorse the possea on the back of the Record